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Office on Feb 5, 2009 By: Misty Mandesh  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

)

Russell Gene Higuchi, et al.

) EXAMINER: Sarae L. Bausch

SERIAL NO.: 10/552,641

) ART UNIT: 1634

FILED: October 7, 2005

) Confirmation No. 1928

FOR: ASSOCIATIONS OF  
POLYMORPHISMS IN THE FRZB  
GENE WITH OBESITY AND  
OSTEOPOROSIS

) Docket No. 21634-2

RESPONSE UNDER 35 U.S.C. 121

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is in response to the Notice of Non-Compliant Amendment mailed January 5, 2009, sent in response to the Response (hereinafter "Response") to the Office Action of March 21, 2008 (hereinafter, "Action"), sent September 21, 2008.

Applicants have provided each claim with the proper status identifier. Specifically, the status identifier "Originally Filed" has been replaced with "Original." Applicants understand how these two very different terms could be confusing to the Examiner. Further, the identifier "Cancelled" has been replaced with "Canceled," although both are acceptable spellings of the same word.

Response to Restriction Action  
Serial No. 10/552,641  
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Amendments to the Specification begin on page 2 of the Response. Amendments to the claims begins on page 4 of this Response. The Comments in response to the Office Action of March 21, 2008 begin on page 8 of this Response. An Abstract is attached as a separate sheet at the end of this Response.